

II. NINE KEY ELEMENTS OF AN EFFECTIVE STATE PROGRAM

Missouri's Approach

NINE KEY ELEMENTS OF AN EFFECTIVE STATE PROGRAM

Missouri's Approach

In 1996, a committee of state and EPA representatives, called the National Nonpoint Source Working Group, developed a list of items considered to be the essential components of a state NPS management program. The committee was sponsored by the Association of State and Interstate Water Pollution Control Agencies. These components were embodied in guidance commonly referred to as Nine Key Elements of an Effective State Program (Appendix A). This guidance will be used by EPA to evaluate each state's NPS management program. States that successfully incorporate the nine key elements into their programs and have a proven track record of effective implementation will be recognized Nonpoint Source Enhanced Benefits States and be provided maximum flexibility in implementing their programs and other benefits. Management plan approval by EPA is required for states to continue to receive any Congressional appropriations over the national formula, approximately \$2.3 million for Missouri.

To summarize how Missouri has incorporated these elements into its program, each key element is listed below in bold type and is then followed by explanatory text that elaborates on how Missouri is fulfilling or will fulfill the requirement(s) for that element.

1. The state program contains explicit short- and long-term goals, objectives and strategies to protect surface and groundwater.

Missouri's long-term goals include enhanced monitoring and assessment, improved surface and groundwater quality, and the continuation of a viable, effective, and flexible NPS management program. Each of these goals has short-term objectives, implementation strategies, evaluation measures, and milestones to gauge success and progress. The first goal, which addresses monitoring and assessment, is focused on improving the tools needed to adequately assess the quality of watersheds so priorities for restoration may be established. Water quality improvements are the subject of the second goal, which aims to achieve and maintain beneficial uses of water. Missouri's third major goal is to maintain a viable, effective, and flexible NPS program by adhering to federal guidelines, involving NPS partners and the public in the management process and following an adaptive management approach.

2. The state strengthens its working partnerships and linkages to appropriate state, interstate, tribal, regional and local entities (including conservation districts), private sector groups, citizen groups and federal agencies.

Missouri's Nonpoint Source Management Program is a product of the coordination that occurs among many partners within the state. One way this process is facilitated is through the Water Quality Coordinating Committee (WQCC) which meets monthly to present and discuss information on water quality issues in the state. The WQCC is comprised of representatives from federal, state, and local agencies, private sector groups and citizen groups. This committee and the general public were instrumental in both an interagency review and public review of the draft NPSMP, the drafting of Missouri's Unified Watershed Assessment and development of the

303(d) list of impaired waters. Partner input will continue to be important for the successful implementation of NPS management efforts in the state of Missouri. Many of these partners are listed in Appendix B.

The goals of many of the partnering agencies directly correlate to many of the Nonpoint Source Management Program goals, objectives and strategies. For example, the Missouri Department of Health has objectives related to on-site sewage systems that directly relates to the plan's stated goals for improving water quality and preventing groundwater contamination. Section II of this document includes excerpts from strategic plans of many of the nonpoint source partners and identifies how those relate to the goals, objectives and strategies of the Nonpoint Source Management Program.

The Nonpoint Source Management Plan was developed in partnership with a variety of organizations, local government representatives, commodity groups, agencies and others. A workgroup was convened to finalize the plan, focusing particularly on the goals and objectives. This process is described in Appendix B, along with a list of review participants.

Other mechanisms that are used to form and sustain partnerships are Memoranda of Agreement, letters of support, cooperative projects and combining of funds. Nonpoint source projects are watershed-based and incorporate various organizations and interests into all stages of development and implementation. A new requirement for projects funded under Section 319 is the development of a Watershed Restoration Action Strategy (WRAS) which will further efforts to form and sustain partnerships within watersheds. Appendix I contains information on various watershed implementation projects in Missouri, including information about partners involved in the projects. Appendix J identifies the partners assisting in implementation of Missouri's NPSMP.

3. The state uses a balanced approach that emphasizes both statewide nonpoint source programs and on-the-ground management of individual watersheds where waters are impaired or threatened.

Missouri's approach emphasizes support of community-based, locally led, watershed-defined water quality projects. Appendix I details existing watershed implementation projects. Goal B includes several objectives encouraging the development of locally led watershed projects.

In addition, Missouri emphasizes statewide activities including development of the 303(d) list, maintaining and evaluating water quality assessment data statewide, development of a Unified Watershed Assessment, and maintains a state NPS unit within DNR.

4. The state program (a) abates known water quality impairments from nonpoint source pollution and (b) prevents significant threats to water quality from present and future nonpoint source activities.

Section IV of the plan details the priorities for NPS activities in Missouri. Waters are prioritized as follows (in order):

1. Waters on the 303(d) List
2. Prevention of Degradation of High Quality Waters
3. Waters Almost Meeting Criteria for Inclusion on the 303(d) List

Additional focus is placed on priority watersheds identified in the UWA, locally led watershed projects involving voluntary TMDL implementation strategies and locally led, good quality watershed projects.

- 5. The state program identifies waters and their watersheds impaired by nonpoint source pollution and identifies important unimpaired waters that are threatened or otherwise at risk. Further, the state establishes a process to progressively address these identified waters by conducting more detailed watershed assessments and developing watershed implementation plans, and then by implementing the plans.**

Missouri has an approved 303(d) list of impaired waters and an approved Unified Watershed Assessment (UWA). The 303(d) list is included as Appendix F and the UWA can be found on the Internet at {<http://www.cares.missouri.edu/mowiap/>}. Section V of the plan details the state's water quality monitoring activities and strategies for NPS assessment. Appendix K contains a proposed water quality monitoring program for Missouri. Goal A of this document also addresses monitoring and assessment.

- 6. The state reviews, upgrades and implements all program components required by section 319(b) of the Clean Water Act, and establishes flexible, targeted and iterative approaches to achieve and maintain beneficial uses of water as expeditiously as practicable. The state programs include:**

- A mix of water quality-based and/or technology-based programs designed to achieve and maintain beneficial uses of water; and**
- A mix of regulatory, non-regulatory, financial and technical assistance as needed to achieve and maintain beneficial uses of water as expeditiously as practicable.**

Appendix E includes a discussion of the NPS categories, including a discussion of best management practices for each of these categories. Additionally, Appendix H addresses best management practices for lakes. Missouri's watershed implementation activities are detailed in Appendix I and reflect the use of both technology-based and water-quality based activities. The goals and objectives in this plan further reflect this balance.

Missouri's approach is one of voluntary pollutant prevention and control in implementing NPS projects, believing that the best solutions to water quality problems are those with broad and active local support and involvement. Citizens across Missouri are proceeding with watershed enhancement projects. However, in those areas with listed waters where an effective local commitment to water quality improvement is slow to form, DNR and other agencies will move ahead with the actions necessary to implement the law and protect water quality.

DNR has developed a strategy for Total Maximum Daily Loads (TMDLs) which contains a schedule for establishing TMDLs on impaired waters.

7. The state identifies federal lands and activities which are not managed consistently with state nonpoint source program objectives. Where appropriate, the state seeks EPA assistance to help resolve issues.

Federal consistency review is addressed in Appendix D. Several tools exist for evaluating federal consistency. DNR will work with OA and through the NEPA process to assure early notification and effective communication to accomplish the consistency review process and achieve its clean water goals, and further DNR will work with the federal agencies which administer federal permit and licensing programs. Development of Watershed Restoration Action Strategies will also provide an opportunity for addressing consistency on federal lands.

8. The state manages and implements its nonpoint source program efficiently and effectively, including necessary financial management.

Missouri makes extensive use of the Grants Reporting and Tracking System, administered by EPA, for quarterly reporting activities. DNR has an effective project oversight procedure, requiring thorough documentation and reporting on projects to ensure appropriate expenditures of funds.

9. The state periodically reviews and evaluates its nonpoint source management program using environmental and functional measures of success and revises its nonpoint source assessment and its management program at least every five years.

Missouri's NPSMP will be evaluated and updated every five years using an adaptive management framework. Environmental measures of success include assessing the trend in the number of impaired lakes acres and stream miles listed on the 303(d) list and the number of sources of groundwater contamination, all related to NPS pollution. Functional measures include, but are not limited to, an EPA approved management plan and milestone progress. Goal C includes objectives related to revisions of the plan, including a schedule.